

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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**JOHN AYERS, DAVID BALLEJOS, IVAN GARCIA,
DARREN LOVATO, ANTHONY SANDOVAL and
ALEX SOSAYA, on behalf of themselves and all
others similarly situated.**

Plaintiffs.

vs.

No. CIV 02-1438 BB/WDS

**ROBERT PERRY, individually, JAMES BURLESON,
Secretary Designee of the New Mexico Department of
Corrections, in his official capacity, JOHN SHANKS,
Acting Deputy Secretary – Operations and Director of
Adult Prisons for the New Mexico Department of Corrections,
in his individual and official capacities, TIM LeMASTER,
Warden of the Penitentiary of New Mexico, in his official
capacity, LAWRENCE TAFOYA, Warden of the Southern
New Mexico Correctional Facility, in his official capacity,
RON GUILLEMETTE, Cognitive Restructuring Coordinator
for the Special Controls Facility of the Penitentiary of
New Mexico, in his individual and official capacities,
JAMES LOPEZ, Unit Manager of the Special Controls Facility
of the Penitentiary of New Mexico, in his individual and official
capacities, and the NEW MEXICO DEPARTMENT OF CORRECTIONS.**

Defendants.

PLAINTIFFS' UNOPPOSED MOTION FOR DISMISSAL WITH PREJUDICE

COME NOW Plaintiffs by and through their counsel of record and for their
Unopposed Motion for Dismissal with Prejudice state as follows:

1. On March 19, 2003, a cause of action styled as Anthony J. Sandoval v. James Lopez, Peter Koeppe, Phillip Mares, New Mexico Correctional Department, No. CIV 02-170 MV/LFG (Sandoval v. Lopez) was consolidated into the within action.

2. Since then the parties to this action have entered into an agreement that resolves all of Plaintiffs' claims in this litigation except for the claims made in Sandoval v. Lopez.

3. By the terms of said agreement, Plaintiffs must dismiss the within action with prejudice and hereby move to dismiss the action with prejudice, except for the claims made in Sandoval v. Lopez.

4. Defendants do not oppose this motion.

WHEREFORE, Plaintiffs respectfully move to dismiss this action, No. CIV 02-1438 BB/WDS, with prejudice, except for the claims made in Sandoval v. Lopez, No. 02-170 MV/LFG.

Respectfully submitted:



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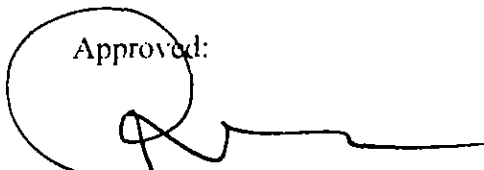
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